REMARKS

This is a full and timely response to the non-final Official Action mailed **December 23, 2004**. Reconsideration of the application in light of the above amendments and the following remarks is respectfully requested.

By the forgoing amendment, various claims have been amended. Additionally, new claims 29-37 have been added. No original claims have been cancelled. Thus, claims 1-37 are currently pending for the Examiner's consideration.

In the outstanding Office Action, the Examiner indicated the allowance of claim 16-20 and the presence of allowable subject matter in dependent claims 4 and 6-13. Applicant wishes to thank the Examiner for the allowance of claims 16-20 and the identification of allowable subject matter in claims 4 and 6-13.

Accordingly, claims 4 and 6 have been amended herein and rewritten as independent claims. Consequently, based on the Examiner's identification of allowable subject matter, claims 4 and 6-13 should be in condition for allowance following entry of this amendment.

Applicant agrees with the Examiner's conclusions regarding the patentability of these claims, without necessarily agreeing with or acquiescing in the Examiner's reasoning. In particular, Applicant believes that these claims are allowable because the prior art fails to teach, anticipate or render obvious the invention as claimed, independent of how the claims might be paraphrased.

With regard to the prior art, the recent Office Action rejected claims 1-3 and 5 as anticipated under 35 U.S.C. § 102(b) by U.S. Patent No. 6,775,043 to Leung ("Leung"). Claims 14 and 15 were rejected as unpatentable under 35 U.S.C. § 103(a) over the combined

teachings of Leung and U.S. Patent No. 6,388,789 to Bernstein ("Bernstein"). For at least the following reasons, these rejections are respectfully traversed.

Claim 1 recites:

> A light direction assembly, comprising:
> tip-tilt platform having a first and second axes and having a light direction member coupled thereto;
> first and second current coils coupled to said platform; and
> a plurality of pole stand assemblies coupled to said first and second current coils, each pole stand assembly including a plurality of magnets disposed between said first and second current coils,
> wherein said magnets are configured to selectively tilt said tip-tilt platform with respect to first and second axes in response to first and second currents flowing through said first and second current coils.

(emphasis added).

In contrast, Leung does not teach or suggest that each pole stand assembly includes a plurality of magnets disposed between the first and second current coils. "A claim is anticipated [under 35 U.S.C. § 102] only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987) (emphasis added). See M.P.E.P. § 2131. Therefore, for at least this reason, the rejection of claims 1-3, 5, 14 and 15 based on Leung should be reconsidered and withdrawn.

Claims 21, 22 and 25 were rejected as anticipated under 35 U.S.C. § 102(b) by U.S. Patent No. 6,388,789 to Bernstein ("Bernstein"). Claims 23 and 24 were rejected as being unpatentable under 35 U.S.C. § 103(a) over the teachings of Bernstein taken alone. For at least the following reasons, this rejection is respectfully traversed.

Claim 21 recites:

> A method of controlling rotation of a tip-tilt platform, comprising:
> controlling a first current in a first current coil to control rotation of said tip-tilt platform about a first axis; and

controlling a second current in a second current coil to control rotation of said tip-tilt platform about a second axis wherein said second axis is disposed at an angle with respect to said first axis; and

selectively generating said rotation of said tip-tilt platform with said first and second currents by passing said first and second coils through a plurality of differently-oriented magnetic fields generated by pairs of magnets disposed adjacent said coils.

(emphasis added).

In contrast, Bernstein does not teach or suggest "selectively generating said rotation of said tip-tilt platform with said first and second currents by passing said first and second coils through a plurality of differently-oriented magnetic fields generated by pairs of magnets disposed adjacent said coils" as claimed. Again, "[a] claim is anticipated [under 35 U.S.C. § 102] only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987) (emphasis added). See M.P.E.P. § 2131. Therefore, for at least this reason, the rejection of claims 21-25 based on Bernstein should be reconsidered and withdrawn.

Claims 26-28 were rejected as being unpatentable under 35 U.S.C. § 103(a) over the teachings of Bernstein in combination with U.S. Patent No. 6,808,271 to Kurematsu ("Kurematsu"). For at least the following reasons, this rejection is respectfully traversed.

Claim 26 recites:

A light direction system, comprising:

a means for controlling a first current to control rotation of said light direction member about a first axis;

a means for controlling a second current to control rotation of said light direction member about a second axis; and

means for selectively generating said rotation of said light direction member with said first and second currents by passing first and second coils carrying said first and second currents through a plurality of differently-oriented magnetic fields generated by pairs of magnets disposed adjacent said coils.

(emphasis added).

In contrast, Bernstein does not teach or suggest the claimed "means for selectively generating said rotation of said light direction member with said first and second currents by passing first and second coils carrying said first and second currents through a plurality of differently-oriented magnetic fields generated by pairs of magnets disposed adjacent said coils." Moreover, Kurematsu also does not teach or suggest such subject matter and was cited for other reasons.

"To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974)." M.P.E.P. § 2143.03. Accord. M.P.E.P. § 706.02(j). Therefore, the rejection of claims 26-28 based on Bernstein and Kurematsu should be reconsidered and withdrawn.

The newly-added claims are thought to be patentable over the prior art of record. Specifically, claims 29-32 are thought to be patentable for the same reasons that claims 16-20 were allowed. New claims 33 and 34 are thought to be patentable over the prior art of record for the same reasons given above with respect to claim 1. New claims 35-37 are thought to be patentable over the prior art of record for the same reasons that claim 4 was allowed.

For the foregoing reasons, the present application is thought to be clearly in condition for allowance. Accordingly, favorable reconsideration of the application in light of these remarks is courteously solicited. If the Examiner has any comments or suggestions which could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the number listed below.

Respectfully submitted,

DATE: 17 March 2005

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CERTIFICATE OF MAILING

DATE OF DEPOSIT: March 17, 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail on the date indicated above in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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